GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM&FW Department - Containment, Control, and Prevention of COVID-19 - The Epidemic Disease Act, 1897- Disaster Management Act, 2005-Guidelines for surveillance, containment and caution - Orders-Issued.

HEALTH, MEDICAL & FAMILY WELFARE (B2) DEPARTMENT

G.O.Rt.No.47 **Dated.03-02-2021**

Read the following:

1) MHA, GoI Order No.40-3/2020-DM-I(A), Dt. 24.3.2020.
2) G.O.Rt.No. 216, HM&FW (B2) Dept., Dt. 24.03.2020.
3) MHA, GoI Order No. 40-3/2020-DM-I(A), Dt.25.03.2020.
4) MHA, GoI Order No. 40-3/2020-DM-I(A), Dt.27.03.2020.
5) G.O.Rt.No. 221, HM&FW (B2) Dept., Dt. 29.03.2020.
6) MHA, GoI Order No. 40-3/2020-DM-I(A), Dt.02.04.2020.
7) MHA, GoI Order No. 40-3/2020-DM-I(A), Dt.03.04.2020.
8) MHA, GoI Order No. 40-3/2020-DM-I(A), Dt.10.04.2020.
9) MHA, GoI Order No. 40-3/2020-DM-l(A) Dt. 14.04.2020.
10) G.O.Rt.No. 238, HM&FW (B2) Dept., Dt.14.04.2020.
11) G.O.Rt.No. 239, HM&FW (B2) Dept., Dt.16.04.2020.
12) MHA, GoI Order No. 40-3/2020-DM-l(A) Dt. 1.05.2020.
13) G.O.Rt.No.258, HM&FW (B2) Dept., Dt.01.05.2020.
14) G.O.Rt.No. 262, HM&FW (B2) Dept., Dt.03.05.2020.
15) MHA, GoI Order No. 40-3/2020-DM-l(A) Dt. 17.05.2020.
16) G.O.Rt.No.274,HM&FW (B2) Dept., Dt.17.5.2020.
17) MHA, GOI Order No.40-3/2020-DM-I(A) Dt.30.5.2020.
18) G.O.Rt.No.280, HM&FW (B2) Dept., Dt.31.5.2020.
19) MHA, GOI Order No.40-3/2020-DM-I(A) Dt.29.6.2020.
20) G.O.Rt.No.317, HM&FW (B2) Dept., Dt.02.07.2020.
21) MHA, GOI Order No.40-3/2020-DM-I(A) Dt.29.07.2020.
22) G.O.Rt.No.352, HM&FW (B2) Dept., Dt.05.08.2020.
23) MHA, GOI Order No.40-3/2020-DM-I(A) Dt.29.08.2020.
24) G.O.Rt.No.390, HM&FW (B2) Dept., Dt.07.09.2020.
25) MHA, GOI Order No.40-3/2020-DM-I(A) Dt.30.09.2020.
26) G.O.Rt.No.650, HM&FW (B) Dept., Dt: 1.11.2020.
27) MHA, GOI Order No.40-3/2020-DM-I(A) Dt.25.11.2020.
28) MHA, GOI Order No. 40-3/2020-DM-I(A) Dt.28.12.2020.
29) G.O.Rt.No.795, HM&FW (B2) Dept., Dt: 31.12.2020.
30) MHA, GOI Order No. 40-3/2020-DM-I(A) Dt.27.01.2021.

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ORDER:

In the references 2nd, 5th, 10th, 11th, 13th, 14th, 16th , 18th , 20th, 22nd, 24th, 26th and 29th read above, the Government of Andhra Pradesh has directed District Collectors, Joint Collectors, Police Commissioners, SPs, DM&HOs, Municipal Commissioners, Sub-Collectors, RDOs, MROs and MPDOs to take effective measures to prevent the spread of COVID- 19 in the State.

2. In the references 1st, 3rd, 4th, 6th, 7th, 8th, 9th, 12th, 15th and 17th, 19th, 21st, 23rd , 25th, 27th, 28th and 30th read above, the Ministry of Home Affairs has issued various orders and addendums along with Consolidated Guidelines for surveillance, containment and caution to contain the spread of COVID- 19.

3. Therefore, all the District Collectors, Joint Collectors, Commissioners of Police, Superintendents of Police, DM&HOs, Municipal Commissioners, Sub-Collectors, RDOs, MROs and MPDOs are hereby instructed to strictly implement the guidelines annexed to this G.O. and enforce the Guidelines and SOPs issued from time to time for surveillance and implementation of containment measures. This order shall be in force upto 28.02.2021 as extended in reference 30th above**.**

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4. The Orders shall be implemented along with various Orders issued from time to time by the State Government for surveillance, containment and caution to contain the spread of COVID- 19 in the State.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL KUMAR SINGHAL
PRINCIPAL SECREATRY TO GOVERNMENT

To
All the District Collectors in the State.
The DGP, A.P., Mangalgiri.
The Police Commissioner of Vijayawada & Visakhapatnam.
All the Superintendents of Police in the State.
All the Municipal Commissioners in the State.
All the HoDs under the control of HM&FW Department.
All the DM&HOs in the State.
Copy to:
All the Special Chief Secretaries/Principal Secretaries/Secretaries to Government.
PS to Addl. C.S. to CM.
OSD to Dy. CM (H, FW&ME).
PS to Spl.CS to Government, HM&FW Department.
PS to Prl. Secretary (Poll).
PS to Commissioner, I&PR.
SF/SC.

//FORWARDED: : BY ORDER//

SECTION OFFICER

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Annexure to G.O.Rt.No.47, HM&FW(B2)Department, dt.03.02.2021

Guidelines for Surveillance, Containment and caution

[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) dated 27th January, 2021]

The number of active cases of COVID-19 have been declining steadily over the last four months. However, with a view to consolidate the substantial gains that have been achieved against the spread of COVID-19, and to fully overcome the pandemic, there is a need to maintain caution and strictly follow the prescribed containment strategy, focussed on surveillance, containment and strict observance of the guidelines.

The following guidelines are issued to be effective from 1st February 2021. **COVID appropriate behaviour**

1. State/ UT Governments shall take all necessary measures to promote COVID-19 appropriate behaviour and ensure wearing of face masks, hand hygiene and social distancing.

2. The National Directives for COVID-19 Management, as specified in **Annexure I,** shall be strictly followed throughout the Country.

Surveillance and Containment

3. Containment Zones, if required, shall be carefully demarcated by the district authorities, at the micro level, taking into consideration the guidelines prescribed by the Ministry of Health and Family Welfare (MoHFW) in this regard. Within the demarcated Containment Zones, containment measures, as prescribed by MoHFW, shall be scrupulously followed.

4. It shall be the responsibility of local district, police and municipal authorities to ensure that the prescribed Containment measures are strictly followed. State/ UT Governments shall ensure accountability of the officers concerned in this regard.

Strict adherence to the prescribed SOPs

5. All activities will be permitted outside Containment Zones. However, the following activities will be subject to strict adherence of SOPs, as indicated below:

i. Social/ religious/ sports/ entertainment/ educational/ cultural/ religious gatherings, subject to SOP of the State/ UT concerned.

ii. Cinema halls and theatres, subject to a revised SOP to be issued by Ministry of Information & Broadcasting in consultation with MHA.

iii. Swimming pools, subject to a revised SOP to be issued by Ministry of Youth Affairs & Sports (MoYA&S) in consultation with MHA.

iv. Exhibition halls, subject to a revised SOP to be issued by the Departmentof Commerce in consultation with MHA.

6. For further opening up of international air travel of passengers, Ministry of Civil Aviation (MOCA) may take a decision in consultation with Ministry of Home Affairs (MHA).

7. SOPs, as updated from time to time, have been prescribed for various activities. These include: movement by passenger trains; air travel; metro trains;

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schools; higher educational institutions; hotels and restaurants; shopping malls, multiplexes and entertainment parks; yoga centres and gymnasiums, etc. These SOPs shall be strictly enforced by the authorities concerned, who shall be responsible for their strict observance.

Local restrictions

8. There shall be no restriction on inter-State and intra-State movement of persons and goods including those for cross land-border trade under Treaties with neighbouring countries. No separate permission/approval/ e-permit will be required for such movements.

Protection of vulnerable persons

9. Persons above 65 years of age, persons with co-morbidities, pregnant women, and children below the age of 10 years are advised to take necessary precautions.

Use of *Aarogya Setu*

10. Use of Aarogya *Setu* may continue on best effort basis on compatible mobile phones. This will facilitate timely provision of medical attention to those individuals who are at risk.

Strict enforcement of the guidelines

11. All the District Magistrates shall strictly enforce the above measures. For the enforcement of social distancing, State/ UT Governments may, as far as possible, use the provisions of Section 144 of the Criminal Procedure Code (CrPC) of 1973.

12. Any person violating these measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Sectionl 88 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure II.**

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Annexure I

NATIONAL DIRECTIVES FOR COVID-19 MANAGEMENT

1. **Face coverings:** Wearing of face cover is compulsory in public places; in workplaces; and during transport.

2. **Social distancing:** Individuals must maintain adequate distance in public places. Shops will ensure physical distancing among customers.

3. **Spitting in public places** will be punishable with fine, as may be prescribed by the State/ UT local authority in accordance with its laws, rules or regulations.

Additional directives for Work Places

4. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.

5. **Screening & hygiene:** Provision for thermal scanning, hand wash or sanitizer will be made at all entry points and of hand wash or sanitizer at exit points and common areas.

6. **Frequent sanitization** of entire workplace, common facilities and all points which come into human contact e.g. door handles etc., will be ensured, including between shifts.

7. **Social distancing:** All persons in charge of work places will ensure adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff, etc.

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Annexure II

Offences and Penalties for Violation of Lockdown Measures

A. Section 51 to 60 of the Disaster Management Act, 2005

51. Punishment for obstruction, etc.—Whoever, without reasonable cause —

(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or

(b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

52. Punishment for false claim.—Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

53. Punishment for misappropriation of money or materials, etc. Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

54. Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

55. Offences by Departments of the Government.—(l) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

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56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act. Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

57. Penalty for contravention of any order regarding requisitioning. If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

58. Offence by companies.—(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. For the purpose of this section—

(a) "company" means anybody corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

59. Previous sanction for prosecution.—No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

60. Cognizance of offences.—No court shall take cognizance of an offence under this Act except on a complaint made by—

(a) the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer Authorised in this behalf by that Authority or Government, as the case may be; or

(b) any person who has given notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised as aforesaid.

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B. Section 188 in the Indian Penal Code, 1860

188. Disobedience to order duly promulgated by public servant.—Whoever, knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or trends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation. It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.

ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT